

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2110/1dn

PJK:/:....

WLy

Date

Please review how I have amended ss. 236.21 (1) (b) and 236.34 (1) (d) 2. As amended, "previously tied to the monumented line of a quarter section, etc." modifies "recorded subdivision plat, recorded addition to a recorded subdivision, or recorded certified survey map." My questions are these: \*

Is this correct, or is it the lot and block that have been previously tied to the monumented line, etc.? If "lot and block" is correct, are *both* lots and blocks tied to a monumented line or just one or the other? \*

Regardless of which grouping must have been previously tied to a monumented line, etc., is having been previously tied to a monumented line, etc., a condition precedent for describing the land by the subdivision name or certified survey map (CSM) number and lot and block?

In other words, if the plat, addition, or CSM or lot and block (whichever is correct) has not/have not previously been tied to a monumented line, etc., may the land not be described by the subdivision name or CSM number and lot and block? (If that is correct, I think the language needs to be drafted a bit differently.)

Is there an independent requirement that every plat, addition, or CSM or lot and block be tied to a monumented line, etc.? If so, that language is superfluous.

Pamela J. Kahler  
Senior Legislative Attorney  
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2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2110/lins

PJK:.....

INSERT PJK-A1

*add period after "Wis"*

The bill codifies the holding of the Wisconsin Supreme Court in *FAS, LLC v. Town of Bass Lake*, 2007 WI 73, 301 Wis.2d 321, 733 N.W. 2d 287, by specifying that, unless a local ordinance provides otherwise, a navigable stream running through a parcel of property does not, in and of itself, divide the parcel into two lots if the same person holds title to the property on both sides of the stream.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

(END OF INSERT PJK-A1)

Strike  
extra  
space

Ins 35-6 contd

1 been tied to a corner marked and established by the U.S. public land survey the  
2 monumented line of a quarter section, government lot, recorded private claim, or  
3 federal reservation in which the land is located, the land shall be described by the  
4 subdivision name or certified survey map number and the description of the lot and  
5 block thereof.

History: 1979 c. 248 ss. 22, 25 (3); 1983 a. 189 s. 329 (26); 1983 a. 473; 1987 a. 390; 1997 a. 99; 1999 a. 96; 2001 a. 16; 2005 a. 9, 41.

(END OF INSERT 35-6)

#### INSERT 52-22

6 ~~(d)~~ PLATS AND CERTIFIED SURVEY MAPS.

7 (a) The treatment of sections 236.12 (2) (intro.), (a), (ac), and (b), (3), (4), (5), (6),  
8 and (8), 236.13 (2m), and 236.20 (1) (b) of the statutes, the renumbering and  
9 amendment of section 236.11 (2) of the statutes, and the creation of section 236.11  
10 (2) (b) of the statutes first apply to preliminary plats or, in cases in which no  
11 preliminary plats are submitted, to final plats, that are submitted for approval on  
12 the effective date of this paragraph.

13 (b) The treatment of sections 236.025, 236.15 (1) (intro.), (a), and (d), and 236.34  
14 (1) (b) of the statutes first applies to surveys performed on the effective date of this  
15 paragraph.

16 (c) The treatment of section 236.20 (1) (a), (2) (g) and (k), (3) (b), (4) (b), (5) (c),  
17 and (6) of the statutes first applies to final plats, and to certified survey maps if  
18 applicable, that are submitted for approval on the effective date of this paragraph.

19 (d) The treatment of sections 236.21 (1) (b) and 236.25 (2) (c) and (d) of the  
20 statutes first applies to final plats that are offered for record on the effective date of  
21 this paragraph.

↓

*Ins 52-22 contd*

1 (e) The treatment of section 236.34 (1) (d) 2. and (2) (b) 1. of the statutes first  
2 applies to certified survey maps that are offered for record on the effective date of this  
3 paragraph.

4 (f) The treatment of section 236.34 (1) (e) of the statutes first applies to certified  
5 survey maps that are submitted for approval on the effective date of this paragraph.

6 ~~(#)~~ RECORDING MEDIA.

7 (a) The treatment of section 70.27 (2) of the statutes first applies to assessor's  
8 plats that are offered for record on the effective date of this paragraph.

9 (b) The treatment of section 236.25 (2) (a) of the statutes first applies to final  
10 plats that are offered for record on the effective date of this paragraph.

11 (c) The treatment of section 236.34 (1) (c) of the statutes first applies to certified  
12 survey maps that are offered for record on the effective date of this paragraph.

13 (d) The treatment of section 703.11 (2) (intro.) of the statutes first applies to  
14 condominium plats that are offered for record on the effective date of this paragraph.

15 (e) The treatment of section 707.215 (2) (intro.) and (3) of the statutes first  
16 applies to time-share property plats or time-share property survey maps and floor  
17 plans, as applicable, that are offered for record on the effective date of this  
18 paragraph.

(END OF INSERT 52-22)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2110/1dn  
PJK:wlj:jf

December 16, 2011

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**Parisi, Lori**

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**From:** Lundgren, Doug  
**Sent:** Thursday, January 26, 2012 3:38 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-2110/1 Topic: Changes to licensure of professional land surveyors

Please Jacket LRB 11-2110/1 for the ASSEMBLY.